

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.785 OF 2006.

IN

SECOND APPEAL (ST) NO.8019 OF 2006.

.....
Office notes, office
memoranda of Coram,
appearances, Court's Court's or Judge's orders.
orders or directions
and Registrar's orders.
.....

Shri Ajay Kumbhar i/by Shri Vishwanath Talkute for
the Applicants.
Shri P.A.Pol for the Respondent No.2.

CORAM : ABHAY S.OKA, J.
DATED : 17th December, 2007.

P.C.:

1. Heard advocates appearing for the parties.
The application is strongly opposed by the advocate
for the second respondent. Reply filed by the
respondents is on record.

2. Considering the averments made in the
application, a case is made out for condonation of
delay of 241 days. Though the application deserves
to be allowed, considering the delay, the
contesting respondents will have to be awarded
costs. Hence, rule is made absolute in terms of
prayer clause (a) subject to condition of the
applicants paying costs of Rs.1,500/- to the second
respondent. Payment of costs will be a condition

precedent.

3. This application already stands abated as against the fourth respondent. Accordingly, Second Appeal also stands abated as against the fourth respondent.

4. The appeal shall be placed for admission immediately after the same is registered.

JUDGE